NOTIFICATION.

No. 3917—*L. C., dated Bangalore* 30*th May* 1938.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill for the Regulation of Public Parks in Mysore is published for general information with the statement of objects and reasons.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Bill for the Regulation of Public Parks in Mysore.

Whereas it is expedient to protect public parks and gardens in Mysore from injury, and to secure the public from molestation and annoyance while resorting to such parks and gardens;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Public Parks Act, 193 .

(2) It may be applied to any public park or garden in Mysore by notification of the Government in the official Gazette.

2. In this Act, unless there is anything repugnant in the subject or context— Definitions.

(*a*) "Park" means any public park or garden to which this Act applies,

(*b*) "Superintendent" means the person in executive charge of a park; and for the purposes of section 6, sub-section (2), includes also (i) an assistant superintendent of a park and (ii) any member of the Managing Committee (if any) of a park; and

(*c*) "park watchman" means any person appointed by the superintendent, or by the authority to whom the superintendent is subordinate to act as a watchman of the park.

3. The Government may, by notification in the official Gazette, declare that any specified land, bridge or pontoon shall, for the purposes of this Act, be deemed to be included in any park. Power to extend boundaries of park.

4. (1) The Government may make rules for the management and preservation of any park, and for regulating the use thereof by the public.

(2) In particular, and without prejudice to the generality of the foregoing power such rules may—

(*a*) regulate the admission of persons, horses and ponies and carriages, palanquins and other conveyances, into the park, and prescribe fees to be paid therefor ;

(*b*) prohibit or regulate the holding of any public meeting, demonstration or picnic parties in the park ;

(*c*) prohibit or regulate the bringing of dogs, motor vehicles, bicycles or tricycles into the park ;

(*d*) prohibit the doing of all or any of the following things, by persons other than employees of the park, that is to say, plucking or gathering anything growing in the park, breaking trees, branches or plants, cutting names or marks on trees, disfiguring buildings, furniture or monuments, removing furniture, removing or disfiguring labels or marks attached to trees or plants ;

(*e*) prohibit the purchase of any produce of the park otherwis than from the superintendent or some other authorised person ;

(*f*) prohibit shooting, bird nesting, the catching of butterflies, or any act of cruelty ;

(*g*) prohibit or regulate fishing or boating and prescribe fees to be paid by persons obtaining permission to fish or to use boats ;

(*h*) prohibit bathing, or the pollution of water by any other means :

(*i*) prohibit the grazing of horses, ponies or cattle ;

(*j*) prohibit the teasing or annoying of animals or birds kept in the park ;

(*k*) prohibit the commission of any nuisance, or the molestation or annoyance of any person resorting to the park.

(3) In making any rule under this section, the Government may direct that a breach thereof shall be punishable with fine which may extend to one hundred rupees.

(4) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

(5) All rules made under this Section shall be published in the official Gazette.

Exhibition of copies of notifications and rules in park.

5. One or more copies in English and in one or more vernacular languages, of every notification published under seetion 3, and of all rules made under section 4 for observance by persons resorting to a park, and for the time being in force, shall be put in the park in such

conspicuous manner as the Superintendent may deem best calculated to give information to such persons.

Refusal of offender to give name and residence.

6. (1) If any person in the presence of a park watchman in uniform, has committed or has been accused of committing a breach of any rule made under section 4, and who is unknown to such watchman, refuses, on demand of such watchman, to give his name and residence, or gives a name or residence which such watchman has reason to believe to be false, such person may be detained by such watchman in order that his name or residence may be ascertained.

(2) When any person is detained under sub-section (1) he shall forthwith be taken to the Superintendent or if the Superintendent be not present in the park or its immediate precints, such person shall be taken to the nearest police station, or if he so requests, to the nearest Magistrate having jurisdiction to try him.

(3) If the true name and residence of any person so taken to the Superintendent be not ascertained within a reasonable time, the Superintendent, shall forthwith send for an officer of police, and shall then deliver him into the custody of such officer, to be taken to the nearest police station.

(4) If the true name and residence of any person taken to a police station under this section be not ascertained within a reasonable time, he shall forthwith be forwarded to the nearest Magistrate having jurisdiction to try him.

(5) When the true name and residence of any person detained under this section have been ascertained he shall be allowed to depart.

(6) No person shall be detained under this section for a longer period than twelve hours.

Superintendent and park watchman deemed as "public servants."

7. Every superintendent and park watchman shall, for the purposes of the Indian Penal Code, as in force in Mysore, be deemed to be a public servant.

General powers and duties of park watchman.

8. Every park watchman shall, in addition to any powers and immunities specially conferred on him by this Act or by rules made hereunder, have, within the limits of the park to which he is appointed all such powers, privileges and immunities, and shall, within the said limits, be liable to all such duties and responsibilities, as a police constable has and is liable to within the limits of the police station, in which such park is comprised :

Provided that every park watchman shall be subordinate to the superintendent.

General powers of police-constables.

9. Every police-constable employed within the limits of a police-station shall have, within any park comprised in such limits, the powers, privileges and immunities conferred on a park watchman by this Act and any rules made hereunder.

Statement of objects and reasons.

Government have been maintaining large parks and gardens for the benefit of the public resorting to them for recreation purposes. Of late the Superintendents of the Lalbagh and other gardens and parks are finding it difficult to control the public who are visiting such gardens and parks in large numbers. There have been complaints that some of them pollute water sources and misuse the roads and lawns and drive motor vehicles at high speed endangering the pedestrians who resort to such places for purposes of recreation. In the absence of proper legislation, the rules cannot be enforced with the result that gardens and parks do not fully serve the purpose for which they are maintained. It is therefore considered necessary that power should be taken to regulate the entry into the parks of conveyances and persons and prohibit the doing of certain acts which are likely to interfere with innocent enjoyment of public recreation centres.

The accompanying Bill is intended to serve these objects.

NOTIFICATION.

No. 3919—*L. C. Bangalore,*
Dated 30*th May* 1938.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to restrict the transfer of Mysore Government Savings Certificates and provide for the payment of Certificates standing in the name of deceased persons is published for general information with the statement of objects and reasons.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.